



OU III AR 569c  
4-7-1

MRAP OU III AR 569c 4-7 UTAH CORRES  
CORRESPONDENCE BETWEEN THE DOE AND STATE  
OF UTAH 97 9 DOCUMENTS

## Meeting/Telephone Conference Record

<b>Date</b>	January 23, 1997	<b>Time</b>	9:00 am and 11:15 am
<b>Project</b>	OU III	<b>Location</b>	DOE-GJO
<b>Between</b>	Mr. Keith Rose	<b>of</b>	U.S. Fish and Wildlife Service (FWS) Ph. # 243-4552
<b>and</b>	Marilyn Kastens	<b>of</b>	MACTEC-ERS Ext. # 6781[Ext.]

### Subject:

OU III Threatened or Endangered (T&E) Species

### Summary:

After DOE's meeting with Keith Rose on January 9, 1997, Keith agreed to make some calls to other biologists to determine which of the listed T&E species might be of concern in the OU III area. Keith called me twice on January 23, 1997 to let me know what he had found out. Following is a summary for each species of concern.

**Southwestern Willow Flycatcher:** Keith called Terry Ireland (FWS Biologist at Grand Junction office) concerning survey requirements for this species. Terry indicated that 1 year of data is required before disturbance to flycatcher habitat may occur and that the survey must be within 12 months of the disturbance. A May/June 1997 survey for southwestern willow flycatchers would meet this criteria if OU III activities begin in early spring 1998.

**Peregrine Falcon:** Keith called Bill Bates (Biologist with Utah Division of Wildlife Resources) concerning peregrine falcon sightings in the Monticello area. Bill indicated that the last confirmed sighting was in 1990 at Nielson Reservoir north of Monticello. Since that time, this reservoir has been breached. Bill also indicated that there was no known nesting of peregrines in the Monticello area. The canyons along Montezuma Creek are not typical habitat for the peregrine (canyon walls are not high enough; food sources are not ideal).

**Mexican Spotted Owl:** Keith is still trying to contact Marilet Zablan at the Salt Lake City FWS office to obtain spotted owl sampling protocol and information regarding owl locations. He will get back to me as soon as he contacts Marilet.

**Spotted Bat:** The spotted bat is no longer a listed T&E species in San Juan County, Utah. Bill Bates indicated to Keith that the presence of the bat in the canyons of Montezuma Creek is probable but has never been confirmed.

### Follow-Up Action Required:

I will plan and schedule a southwestern willow flycatcher survey for May/June 1997. The person(s) conducting the survey will be required to attend a training course conducted by Terry Ireland in early spring 1997. In addition, I will follow up with Keith on obtaining the Mexican spotted owl information. At that time, we can determine the need for an owl survey in the OU III area.

cc: David Bird, State of Utah  
Mike Butherus, MACTEC  
Danni Langdon, MACTEC  
Kristen McClellan, MACTEC  
Paul Mushovic, EPA  
Deb Richardson, MACTEC  
Mary Ann Rondinella, DOE-GJO  
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4-7-2

OUIII AR 569c



## Meeting/Telephone Conference Record

<b>Date</b>	February 10, 1997	<b>Time</b>	10:15 a.m.
<b>Project</b>	OU III	<b>Location Address</b>	GJO
<b>Between</b>	Bob Woyewodzic	<b>of</b>	Bureau of Land Management (BLM), San Juan Resource Area, Box 7, Monticello, UT 84535
	NA	<b>Ph. #</b>	(801) 587-2141
<b>and</b>	Marilyn Kastens	<b>of</b>	NA
	NA	<b>Ph. #</b>	NA
		<b>Ext. #</b>	6781[Ext.]
		<b>Ext. #</b>	NA

### Subject:

T&E Species Information from BLM

### Summary:

I called BLM's Wildlife Biologist, Bob Woyewodzic, at Heather Musglow's recommendation to see if he had any additional information on the Mexican spotted owl or other T&E species. Bob said that a contractor, Damion Fagen with High Desert Research out of Moab, conducted a spotted owl survey in Montezuma Canyon in 1994 (on BLM-administered lands). No owls were found. This was the same survey that Heather had described to me.

Bob mentioned that although the owl is not present in the canyon, the Gunnison sage grouse has been identified along Montezuma Creek. The Gunnison sage grouse has not yet been formally listed as a T&E species but will probably be listed in the future. The biological assessment has been completed, and the process for getting it listed has begun. He recommended that I call Guy Wallace with Utah Division of Wildlife Resources to get more information on the sage grouse.

Bob also mentioned that the Montezuma Creek area contains critical habitat for the southwestern willow flycatcher. I informed him that DOE was aware of this and will be conducting its second annual flycatcher survey in 1997. Bob said that he would be interested in the results of the survey.

### Follow-Up Action Required:

I called Guy Wallace at (801) 587-2463 but got no answer. I will continue to try to reach him.

**cc:** Mike Butherus  
Danni Langdon  
Kristen McClellan  
Deb Richardson  
Mary Ann Rondinella  
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**file:** C:\MSG\ECODOC\T&E-BLM.TEL



## Meeting/Telephone Conference Record

<b>Date</b>	February 10, 1997	<b>Time</b>	9:00 a.m.
<b>Project</b>	OU III	<b>Location Address</b>	GJO
<b>Between</b>	Heather Musglow	<b>of</b>	U.S. Forest Service, Manti LaSal Forest, Moab, UT
	NA	<b>of</b>	NA
<b>and</b>	Marilyn Kastens	<b>of</b>	MACTEC-ERS
	NA	<b>of</b>	MACTEC-ERS
			Ph. # (801) 259-7155
			Ph. # NA
			Ext. # 6781[Ext.]
			Ext. # NA

### Subject:

Mexican Spotted Owl Surveys

### Summary:

I called Heather Musglow to discuss Mexican spotted owl surveys conducted by the U.S. Forest Service and U.S. Bureau of Land Management along Montezuma Creek. Heather said that they've been conducting spotted owl surveys for 4-5 years in the Monticello area. No owls have ever been found in Montezuma Canyon. As a result of the surveys, it became obvious that the only place spotted owls were found were in slick rock canyons containing tall Ponderosa pine and other conifers. The nearest-to-Monticello owl locations were found in Dark Canyon more than 20 miles south and west of Monticello. Although Heather has not yet confirmed this with Marilet Zablan of the U.S. Fish and Wildlife Service, she believes that the only designated critical habitat for the spotted owl east of Monticello is in canyons having greater than 40-percent slopes that also contain a mixed conifer forest. Heather will send me the results of the surveys that are pertinent to Montezuma Creek.

### Follow-Up Action Required:

Discuss the need for DOE to conduct a Mexican spotted owl survey in OU III with Keith Rose. Find out if Keith has discussed the spotted owl with Marilet Zablan yet.

**cc:** Mike Butherus  
Danni Langdon  
Kristen McClellen  
Deb Richardson  
Mary Ann Rondinella  
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**file:** C:\MSG\ECO\DOC\OWL-FS.TEL

## Meeting/Telephone Conference Record

<b>Date</b>	February 10, 1997	<b>Time</b>	9:50 a.m.
<b>Project</b>	OU III	<b>Location Address</b>	GJO
<b>Between</b>	Bill Bates	<b>of</b>	Utah Division of Wildlife Resources, Price, UT
	NA	<b>of</b>	NA
<b>and</b>	Marilyn Kastens	<b>of</b>	MACTEC-ERS
	NA	<b>of</b>	MACTEC-ERS
		<b>Ph. #</b>	(801) 637-3310
		<b>Ph. #</b>	NA
		<b>Ext. #</b>	6781[Ext.]
		<b>Ext. #</b>	NA

### Subject:

State-Sensitive Species (Spotted Bat)

### Summary:

I called Bill Bates to find out if the spotted bat is a State-sensitive species. Kristen is considering dropping this species as a receptor in the OU III Ecological Risk Assessment (ERA) because it is no longer on the Federal threatened or endangered (T&E) species list as a candidate-2 species. Bill told me that the spotted bat is a State-sensitive species. "State-sensitive" species are not like Federally listed T&E species, in that there is no legislative review and no formalized process for putting species on the list. In other words, the State has no legal "teeth" for enforcing protective measures concerning State-sensitive species. However, the State recommends that Federal agencies protect these sensitive species during Federal actions. Bill will send me a list of State-sensitive species.

Bill was familiar with the OU III portion of Montezuma Creek and didn't think DOE's potential remedial actions would significantly affect the spotted bat, as long as roosts or cavern areas in the canyon walls were not affected. He recommended that DOE confine areas of disturbance away from the canyon walls as much as possible.

I told Bill that Kristen McClellan may want to speak to him personally about keeping/dropping the spotted bat as a receptor in the ERA.

### Follow-Up Action Required:

I let Kristen know that the spotted bat is a State-sensitive species.

**cc:** Mike Butherus  
Danni Langdon  
Kristen McClellan  
Deb Richardson  
Mary Ann Rondinella  
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**file:** C:\MSG\ECOLD\DOC\BAT-DOW.TEL

A-7-5

00111 AR 569c



## Meeting/Telephone Conference Record

Date	February 11, 1997	Time	p.m.
Project		Location Address	
Between	Dale Hoff	of	EPA Region 8
		of	
and	Jody Waugh	of	MACTEC-ERS
		of	MACTEC-ERS

**Subject:**

Molybdenum TRVs and UCF for Spotted Bat

**Summary:**

Jody Waugh left a voice mail message for Dale requesting assistance on (1) interpretation of EPA's qualitative TRV's for molybdenum toxicity to monogastric mammal receptors and (2) the proper threatened and endangered species modifier for the spotted bat. Below are highlights of Dale's return call:

Molybdenum toxicity reference value for Monogastric:

For the following reasons, Molybdenum can be excluded from dose calculations unless the daily dose is excessive

- a. Molybdenum is an essential nutrient
- b. Molybdenum is a weak toxicant in monogastric mammals.
- c. Copper and sulfate negate Molybdenum toxicity
- d. toxicity at very high doses is usually not observed.

T & E Modifier for Spotted Bat

Although the spotted bat is no longer listed as a T & E species, it remains on the Utah State sensitive list. Dale advised to use a modifier at 1.25 as an uncertainty factor in the TRV calculation for the spotted bat.

**Follow-Up Action Required:**
**RESOLUTION**

- (1) Calculate a reasonable daily dose (RDD) to deer mouse, muskrat and spotted bat; excluded Molybdenum from HQ calc unless the RDD is excessive ( $10^2$  to  $10^3$  mg/kg).
- (2) Use a T&E modifier of 1.25 for TRV uncertainty factor calculations.

xc:	Mary Ann Rondinella	Paul Mushovic, EPA	Scott Everett, UDEQ
	Kristen McClellen <i>MM</i>	Gerry Henningsen, EPA	
	MSG Project File	David Bird, UDEQ	
file:	C:\WP51\MISC\TELECON.JW		

4-7-6



OU III AR 569C

## Meeting/Telephone Conference Record

<b>Date</b>	February 18, 1997	<b>Time</b>	9:00 am
<b>Project</b>	OU III	<b>Location Address</b>	GJO
<b>Between</b>	Ben Morris	<b>of</b>	Utah Division of Wildlife Resources, 455 West Railroad Ave., Price, UT 84501
	NA	<b>of</b>	NA
<b>and</b>	Marilyn Kastens	<b>of</b>	MACTEC-ERS
	NA	<b>of</b>	MACTEC-ERS

Ph. # (801) 637\_3310  
Ph. # NA  
Ext. # 6781[Ext.]  
Ext. # NA

### Subject:

T&E Update with Ben Morris

### Summary:

In response to Mary Ann's request, I called Ben Morris to update him on DOE's activities associated with threatened or endangered (T&E) species on the OU III project. Ben was very familiar with Montezuma Creek and the OU III study area. He was most interested in knowing about the fish data we had collected within Montezuma Creek. I relayed the results of the early BioWest study and the more recent (1996) Oak Ridge National Laboratory survey. Both studies indicated that no fish were found in Montezuma Creek. He was interested in receiving any information we might have on stream flow within the creek for the last 10 years. I told him I would send him the flow information we have.

He also mentioned that a mother ferret and two babies were sighted just below the beaver pond (in the big alfalfa field) in the lower-upper or upper-middle section of Montezuma Creek on June 6, 1996. He thought that they were most likely escaped domestic ferrets (although they possibly could be black-footed ferrets).

I requested a list of State-sensitive species from him, as I have not yet received a list from his office (I had requested a list from Bill Bates about a week ago). I also asked Ben if he knew anything about the Gunnison sage grouse. He said that it will soon be listed as a threatened species. He has never seen any along Montezuma Creek, and he said that their occurrence in the OU III study area would be very unlikely. He said that it would be more likely for them to occur downstream of the OU III study area on BLM-administered portions of the creek.

I then told Ben that we would let him know when our field visit is scheduled with U.S. Fish and Wildlife Service personnel. We would look forward to him joining us on the trip.

### Follow-Up Action Required:

I called Tim Bartlett to get flow data for Montezuma Creek. Tim will send me the data, and I will send it to Ben.

cc: Mike Butherus  
Danni Langdon  
Kristen McClellan  
Deb Richardson  
Mary Ann Rondinella  
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4-7-7

00111 AR 569c



## Meeting/Telephone Conference Record

<b>Date</b>	February 24, 1997	<b>Time</b>	11:45 am
<b>Project</b>	OU III	<b>Location Address</b>	GJO
<b>Between</b>	Mr. Leland Sasser	<b>of</b>	Natural Resources Conservation Service, Soil Survey Staff, Price, Utah
	NA	<b>of</b>	NA
<b>and</b>	Marilyn Kastens	<b>of</b>	MACTEC-ERS
	NA	<b>of</b>	MACTEC-ERS

Ph. # (801) 637-0041  
Ph. # Na  
Ext. # 6781[Ext.]  
Ext. # A

### Subject:

Prime, Unique, and Important Farmland

### Summary:

I called Mr. Sasser to find out if prime or unique farmland or "farmland of statewide importance" was present within the OU III study area. In accordance with the Farmland Protection Policy Act, Federal agencies are required to determine if their project(s) will adversely affect prime or unique farmland and to consider alternative actions if prime or unique farmland cannot be protected. "Farmland of statewide importance" is designated by the State and is not legally protected; however, Federal agencies are encouraged to protect these farmlands as well. Mr. Sasser looked at the soil survey of the Monticello area, and he determined that no prime, unique, or important farmlands occurred in the OU III study area. However, some of the soils occurring on the upland areas adjacent to the Monticello Creek valley are considered prime, unique, or important farmland. The only prime farmland soil is the Monticello series (if slopes are < 5%). Farmlands of statewide importance include the Ucolo series (if slopes are < 5%), Abajo series (if slopes are < 5%), Ackman series, and Monticello series (if slopes are > 5%). Mr. Sasser will send me a list of Utah's designated prime, unique, and important farmland soils.

### Follow-Up Action Required:

none

**cc:** M. Butherus  
D. Langdon  
K. McClellan  
D. Richardson  
M. Rondinella  
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## Meeting/Telephone Conference Record

<b>Date</b>	February 27, 1997	<b>Time</b>	10:20 am
<b>Project</b>	OU III	<b>Location Address</b>	GJO
<b>Between</b>	Mr. Frank Howe	<b>of</b>	Utah Division of Wildlife Resources, Nongame Resources
	NA	<b>of</b>	NA
<b>and</b>	Marilyn Kastens	<b>of</b>	MACTEC-ERS
	NA	<b>of</b>	MACTEC-ERS
		<b>Ph. #</b>	(801) 538-4764
		<b>Ph. #</b>	NA
		<b>Ext. #</b>	6781[Ext.]
		<b>Ext. #</b>	NA

### Subject:

Mexican Spotted Owl Locations and SW Willow Flycatcher Habitat

### Summary:

I called Frank Howe because I heard that he managed a computer database containing Mexican spotted owl and other nongame species information. Frank looked through his database and gave me the following information: there has been one unconfirmed sighting of a Mexican spotted owl about 8 3/4 miles west of the OU III study area; one confirmed nesting sight 25 miles northwest of the OU III study area in Canyonlands National Park; one confirmed sighting 27 1/2 miles west of the OU III study area in the Manti LaSal Ranger District; and one confirmed sighting 30 miles west-southwest of the OU III study area in the Manti LaSal Ranger District. He then gave me Linda Seibert's phone number for more information. Linda Seibert is the Wildlife Biologist at the Moab BLM office, and she is in the process of summarizing BLM's Mexican spotted owl surveys in Montezuma Creek.

Frank then mentioned that he had some knowledge of the southwestern willow flycatcher. Someone had looked for them in the Montezuma Creek area and had not found any. I told him that DOE also had surveyed for them in 1996 and had found none. He said that the sw willow flycatcher didn't seem to care for "strips" of willows, such as along the Montezuma Creek corridor. The literature says that the bird seems to prefer large (5 acres or more) "patches" of willows.

### Follow-Up Action Required:

I will call Linda Seibert and update the OU III RI wildlife section with this new information.

**xc:** M. Butherus  
D. Langdon  
K. McClellan  
D. Richardson  
M. Rondinella  
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**file:** C:\MSG\ECO\DOC\OWL-DOW.TEL





## Meeting/Telephone Conference Record

<b>Date</b>	February 27, 1997	<b>Time</b>	11:00 am
<b>Project</b>	OU III	<b>Location Address</b>	GJO
<b>Between</b>	Ms. Linda Seibert	<b>of</b>	Bureau of Land Management, Moab Office
	NA	<b>of</b>	NA
<b>and</b>	Marilyn Kastens	<b>of</b>	MACTEC-ERS
	NA	<b>of</b>	MACTEC-ERS
		<b>Ph. #</b>	(801) 259-6111
		<b>Ph. #</b>	NA
		<b>Ext. #</b>	6781[Ext.]
		<b>Ext. #</b>	NA

**Subject:**

Mexican Spotted Owl Surveys by BLM

**Summary:**

I called Linda to see if she had any new information concerning the Mexican spotted owl surveys conducted by BLM and the Forest Service in the Monticello area. She said that Montezuma Creek had been surveyed for the Mexican spotted owl (on BLM lands only) in 1993 and 1994. "No hint of the owl" was found. She said it became obvious that the Montezuma Creek corridor was not potential habitat for the owl. This information supports the information I received from Heather Musglow of the Forest Service and Bob Woyewodzic of the Monticello BLM.

**Follow-Up Action Required:**

None

**xc:** M. Butherus  
D. Langdon  
K. McClellen  
D. Richardson  
M. Rondinella  
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